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Applicants: Jonathan S. Stamler and Andrew J. Gow
Application No.: 08/874,992 Group Art Unit: 1639
Filed: June 12, 1997 Examiner: B. Celsa
Confirmation No.: 3513
Title: NO-MODIFIED HEMOGLOBINS AND USES THEREFOR

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|---|--------------------|
| CERTIFICATE OF MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202 | |
| on <u>4-8-03</u> | <u>[Signature]</u> |
| Date | Signature |
| <u>Ann M. Giso</u> | |
| Typed or printed name of person signing certificate | |

#32
[Signature]
4/23/03

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☐ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☒ under 37 CFR 1.97(c) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☒ waiver of fee otherwise applicable under 37 CFR 1.97(c), (see Office Action dated 01/08/03), or
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)



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Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references are enclosed.
 - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

- [X] Applicants are aware that the following related patent applications were filed, and that they may have descendent applications that have not been published. Nothing is known about the status of any of the descendent applications that may have been filed.

Examiner's Initials

ML

U.S. Patent Application No. 08/123,331, filed September 17, 1993, now abandoned

ML

U.S. Patent Application No. 08/438,418, filed May 10, 1995, now US 6,255,277

ML

U.S. Patent Application No. 08/460,465, filed June 2, 1995, now US 6,087,479

ML

U.S. Patent Application No. 09/433,550, filed November 4, 1999, now US 6,174,539

ML

U.S. Patent Application No. 09/621,610, filed July 21, 2000, now US 6,471,978

ML

U.S. Patent Application No. 09/661,190, filed September 13, 2000, now US 6,352,709

ML

U.S. Patent Application No. 07/791,668, filed November 14, 1991, now abandoned

~~U.S. Patent Application No. 07/943,835, filed September 14, 1992, now abandoned~~Already
consideredML

U.S. Patent Application No. 08/198,854, filed February 17, 1994, now abandoned

ML

U.S. Patent Application No. 08/287,830, filed August 9, 1994, now US 5,593,876

ML

U.S. Patent Application No. 08/437,868, filed May 9, 1995, now abandoned

ML

U.S. Patent Application No. 08/907,217, filed August 6, 1997, now US 5,863,890

~~U.S. Patent Application No. 09/092,622, filed June 5, 1998, now US 6,291,424~~Already
consideredML

U.S. Patent Application No. 09/835,038, filed April 16, 2001, published as 20020052314 (cited on PTO form 1449). The status and currently pending claims of this application are not known to Applicant.

ML

U.S. Patent Application No. 10/216,865, filed August 13, 2002, published as 20030007967 (cited on PTO form 1449). The status and currently pending claims of this application are not known to Applicant.

ML

U.S. Patent Application No. 08/281,427, filed July 27, 1994, which is the priority application for WO 96/03139. Status unknown to Applicant.

ML

U.S. Patent Application No. 08/043,653, filed April 6, 1993, now US 5,427,797

ML

U.S. Patent Application No. 10/066,320, filed January 31, 2002, published as 20030022267 (cited on PTO form 1449). A copy of the claims currently pending is attached.

ML

U.S. Patent Application No. 10/280,085, filed October 25, 2002. A copy of the claims currently pending is attached.

[Signature]
Examiner

10/17/03
Date

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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